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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/439,187	11/12/1999	JUKKA WALLENIUS	781.316USW1	1366
32294	7590	02/10/2005		
SQUIRE, SANDERS & DEMPSEY L.L.P. 14TH FLOOR 8000 TOWERS CRESCENT TYSONS CORNER, VA 22182			EXAMINER SMITH, SHEILA B	
			ART UNIT 2681	PAPER NUMBER

DATE MAILED: 02/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/439,187

Applicant(s)

WALLENIUS, JUKKA

Examiner

Sheila B. Smith

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 20 October 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) 2-12, 15 is/are allowed.
- 6) ☐ Claim(s) 13 and 14 is/are rejected.
- 7) ☐ Claim(s) 16 and 17 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 13,14 are rejected under 35 U.S.C. 102(b) as being anticipated by Ali-Vehmas et al. ("Ali-Vehmas"), EP 0812120 A2.

Regarding claim 13, Ali-Vehmas discloses a mobile station comprising an extension layer to support routines to be installed; comprising:

the mobile station comprises a configuration routine of an intelligent network service, the routine being arranged to provide the extension layer with an input to configure the intelligent network service (col. 6, lines 25-43); as a response to the input the mobile station is arranged to transmit configuration information to a mobile telephone network (col. 6, lines 25-43);

that before the configuration message, the mobile station transmits a configuration information inquiry (i.e., user presses key for display of available intelligent network services) (col. 6, lines 25-32).

Regarding claim 14, Ali-Vehmas discloses an arrangement for configuring over a user interface of a mobile station an intelligent network service controlled by an intelligent network node (SCP) when the mobile station comprises an extension layer to support installable routines;

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comprising: the mobile comprises a configuration routine of the intelligent network service, the routine being arranged to provide the extension layer with an input to configure the intelligent network service (col. 6, lines 25-43);

as a response to the input, the mobile station is arranged to transmit configuration information through a network element (i.e., MSC) of the mobile communication system to the intelligent network node (SCP) (col. 6, lines 25-43 and col. 7, lines 12-25);

and the intelligent network node (SCP) is arranged to interpret the configuration information included in the configuration message and configure the intelligent network service on the configuration information (col. 6, lines 25-43 and col. 7, lines 26-38);

that before the configuration message, the mobile station transmits a configuration information inquiry (i.e., user presses key for display of available intelligent network services) (col. 6, lines 25-32).

Allowable Subject Matter

2. Claims 2-12,15 are allowed.

3. Claims 16 and 17 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed 10/20/2004 have been fully considered but they are not persuasive.

Regarding applicants arguments concerning claim 13, the applicant argues that the Ali-Vehmas reference fails to teach or suggest configuring an intelligent network, and that the mobile station transmits a configuration information inquiry before the configuration message. Merriam Webster's Collegiate Dictionary tenth edition defines configure to be "to set up for operation", configuring an intelligent network which reads on "the user browses through the list by means of arrow keys included in the mobile phones keypad and in this case selects the option "Cinema" from the list" disclosed in column 6 lines 33-36; the mobile station transmits (when the user presses a certain key) a configuration information inquiry (the mobile phone includes a function wherein a list of all available intelligent network services) before the configuration message (as a response to the keystroke indicating the selection) disclosed in column 6 lines 25-32.


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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sheila B. Smith whose telephone number is (703)305-0104. The examiner can normally be reached on Monday-Thursday 6:00 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on 703-306-0003. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

S. Smith 
February 4, 2005


ERIK A. GARY
PRIMARY EXAMINER